

May 26 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0157

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JOEL M. WHITE,

Defendant and Appellant.

FILED

MAY 26 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

Appellee, State of Montana, respectfully requests a 30-day extension of time until July 1, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on June 1, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Counsel for Appellee has contacted Appellant's Unit Manager but was unable to contact the Appellant to ascertain his position regarding the Motion for Extension of Time; therefore, Appellant has not been contacted concerning this motion.

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Respectfully submitted this 26th day of May, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: Mark Mattioli
MARK W. MATTIOLI
Appellate Services Bureau Chief

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to be served by U.S. Mail upon:

Mr. Joel Miles White
#20229
Crossroads Correctional Center
50 Crossroads Drive
Shelby, MT 59474

Mr. Steve Barry
Department of Corrections
1539 Eleventh Avenue
P.O. Box 201301
Helena, MT 59620-1301

Mr. Michael B. Hayworth
Rosebud County Attorney
P.O. Box 69
Forsyth, MT 59327

DATED: 5/26/10 Mark Mattioli